

March 31, 1977

LB 497

PRESIDENT: Senator George.

SENATOR GEORGE: I call for the question.

PRESIDENT: There's no question here. I'll call for it now. Record your vote. Have you voted? Record.

CLERK: 25 ayes, 0 nays to adopt the committee amendment.

PRESIDENT: The committee amendments are adopted. Senator Barnett.

SENATOR BARNETT: I'll yield to...I won't yield but I'll do whatever I have to to let Senator George have the mike.

PRESIDENT: Senator George.

SENATOR GEORGE: Thank you Mr. President. Thank you Senator Barnett. The bill, a few weeks ago, was described by our Speaker, Senator Luedtke, as a simple housekeeping bill. The League of Municipalities requested the bill. We heard the bill before the Urban Affairs Committee, I'm sorry, before the Judiciary Committee. We introduced the bill through the Urban Affairs Committee. The problem that existed so far in only three or four counties among the 93 counties is this, city attorneys says there is no municipal court left, have to prosecute traffic violations, for instance, minor infractions before the county courts. We do have a provision in the statutes that allows that process. Unfortunately there seems to be a more narrow definition by some county courts and they claim that since this provision was not in the procedures of the district courts and since the county courts have to go by the procedures as set forth for the district courts, that they could not allow these city attorneys to prosecute in county court. We simply want to prevent this interpretation and therefore add it, this section, to the procedural section of the district courts simply stating that a city attorney may prosecute violations in county court. I believe the motion already has been made to move the bill. Is that correct Mr. Clerk? Then I so move to move the bill to E & R Initial.

PRESIDENT: The question is the advancement of the bill. Record your vote. Record.

CLERK: 26 ayes, 0 nays, 23 not voting.